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IN THE

SUPREME COURT

OF THE

UNITED STATES

In Equity

October Term, 1935.

No. 15 ORIGINAL

THE STATE OF NEBRASKA,
Complainant,

VS.

THE STATE OF WYOMING,
Defendant,

AND

THE STATE OF COLORADO,
Impleaded Defendant.

Replication to Amended and Supplemental Answer of the Defendant the State of Wyoming, Replication to the Answer of the State of Colorado, and Answer to the Cross-Bill of the State of Colorado

WM. H. WRIGHT,
Attorney General of the State of Nebraska.
PAUL F. GOOS,
Special Counsel,
Solicitors for Complainant.

C. G. PERRY,
Of Counsel.

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IN THE

SUPREME COURT

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UNITED STATES

In Equity

October Term, 1935

No. 13 ORIGINAL

THE STATE OF NEBRASKA,

Complainant.

VS.

THE STATE OF WYOMING,

Defendant,

AND

THE STATE OF COLORADO,

Impleaded Defendant.

Replication to Amended and Supplemental Answer of the Defendant the State of Wyoming, Replication to the Answer of the State of Colorado, and Answer to the Cross-Bill of the State of Colorado

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WM. H. WRIGHT,
Attorney General of the State of Nebraska,
PAUL F. GOOD,
Special Counsel,
Solicitors for Complainant.

C. G. PERRY,
Of Counsel.

TO THE HONORABLE THE CHIEF JUSTICE AND THE ASSOCIATE JUSTICES OF THE SUPREME COURT OF THE UNITED STATES:

Comes now the State of Nebraska, complainant herein, and herewith presents its replication to the amended and supplemental answer to the defendant, the State of Wyoming, its replication to the answer of the impleaded defendant, the State of Colorado, and its answer to the cross-bill of said impleaded defendant, the State of Colorado.

I.

For Replication to the Amended and Supplemental Answer of the Defendant, the State of Wyoming

This repliant, the State of Nebraska, saving and reserving unto itself, all and all manner of advantage of exception to the manifold insufficiencies of the amended and supplemental answer of the defendant, the State of Wyoming, for replication thereunto saith, that it will aver and prove its bill of complaint herein to be true, certain and sufficient in the law to be answered unto, and that the said answer of the said defendant is uncertain, untrue and insufficient to be replied unto by this repliant; without this, that any other matter or thing whatsoever in the said answer contained, material or effectual to be replied unto, confessed and avoided, traversed or denied, is true; all which matters and things this repliant is, and will be, ready to aver and prove as this Honorable Court shall direct; and that the complainant in this cause hereby joins issue with the defendant, the State of Wyoming, and will hear the cause on bill, answer and proofs against said defendant; and this complainant humbly prays as in and by its said bill it hath already prayed.

II.

For Replication to the Answer of the Impleaded Defendant, the State of Colorado

This repliant, the State of Nebraska, saving and reserving unto itself all and all manner of advantage of exception to the manifold insufficiencies of the answer of the defendant, the State of Colorado, for replication thereunto, saith that it will aver and prove its bill of complaint herein to be true, certain and sufficient in the law to be answered unto, and that the said answer of the defendant is uncertain, untrue and insufficient to be replied unto by this repliant; without this, that any other matter or thing whatsoever in the said answer contained, material or effectual to be replied unto, confessed and avoided, traversed or denied, is true; all which matters and things this repliant is, and will be ready to aver and prove as this Honorable Court shall direct; and the complainant in this cause hereby joins issue with the defendant, the State of Colorado, and will hear the cause on bill, answer and proofs against said defendant; and this complainant humbly prays as in and by its said bill it hath already prayed.

III.

For Answer to the Cross-bill of the Impleaded Defendant, the State of Colorado, This Complainant, the State of Nebraska, Shows:

TO THE HONORABLE THE CHIEF JUSTICE AND THE ASSOCIATE JUSTICES OF THE SUPREME COURT OF THE UNITED STATES:

First

This complainant admits the allegations of the first sub-paragraph of the first section of said cross-bill, namely,

that the State of Colorado is one of the states of the Union of the United States of America admitted to and exercising equal sovereignty with the original and all other states, having all of the privileges, rights and powers which are possessed by or which devolve upon any state, and is charged as parens patriae with the duty of safeguarding and promoting the interests and welfare of its citizens, and with the protection of property within its territorial limits.

With respect to the second sub-paragraph of said first section of said cross-bill, incorporating in said cross-bill section six of the impleaded defendant's answer to complainant's bill of complaint, this complainant respectfully shows unto the court:

A. This complainant admits the 3rd, 4th and 5th sub-paragraphs of said section 6 of said answer.

B. With reference to the allegations that the common-law doctrine of riparian rights is now the basic law of the complainant, the State of Nebraska, and that the doctrine of appropriation has been recognized and is effective as a law of the said complainant state only in the arid or semi-arid portions thereof, this complainant avers that by statute in the year 1889, the State of Nebraska abrogated the common-law doctrine of riparian rights and substituted therefor the doctrine of appropriation which has ever since been recognized and is effective as the law of the entire State of Nebraska.

C. Further, this complainant avers that said doctrine of appropriation has been recognized and is in force in cases where the appropriations of water for beneficial use

have been made before and after the acquisition of title to riparian lands and that since 1889 appropriations of water from the natural streams of the State of Nebraska have been permitted, made and legally recognized irrespective and independent of any riparian rights save only that riparian land owners who had acquired riparian rights prior to 1889, might recover damages if they had suffered any substantial damages from injuries to their riparian rights.

D. Further, this complainant denies that the arid and semi-arid portions of the State of Nebraska comprise only one-third of the total area of the State of Nebraska and on that behalf avers that said portions of the state include two-thirds of the entire area of the State of Nebraska.

Second

This complainant admits the allegations of the second section of said cross-bill except that this complainant has no information or knowledge as to the percentage of water used for irrigation in North Park which finds its way back into the streams; has no information or knowledge as to the dates when irrigation began to be practiced in North Park or as to the number of ditches or reservoirs or their aggregate storage capacity; and further states that it has no information or knowledge as to the diversion capacity of the ditches which divert water from the North Platte river and its tributaries in Jackson County, Colorado, or as to their priority dates, or as to the total area of irrigated lands in Jackson County, Colorado.

Further answering with reference to the allegations of said second section of said cross-bill, this complainant avers that, as it is informed and verily believes, diversions

of water in North Park in the State of Colorado, have been permitted to operate since diversion was first practiced in said North Park with little or no supervision or control from any governmental agency of the State of Colorado and that said ditches have usually operated so that each ditch has taken all the water which its managers have desired, wholly without regard to priorities, either within or without said State of Colorado.

Third

Respecting the allegations contained in the third section of said cross-bill, this complainant has no information or knowledge.

Fourth

Answering the fourth section of said cross-bill, this complainant admits that the appropriations and diversions of the water of the North Platte river and its tributaries in North Park, Colorado, are as alleged in said fourth section.

Fifth

Answering the fifth section of the said cross-bill, this complainant denies that the quantity of water of the North Platte river and its tributaries, passing out of the State of Colorado and entering the State of Wyoming, even when the Laramie river is excluded from computation, approximates 500,000 acre feet, and on that behalf this complainant avers that said quantity does not exceeed in the average year, 487,000 acre feet, and further avers that for the irrigation season, namely the months of May to September, inclusive, the average amount of the flow of said North Platte river and tributaries into the State of Wyoming is approximately 325,000 acre feet per year. This

complainant denies the other allegations of fact made in the first paragraph of said section, and on that behalf avers that the amount of land being so irrigated in said section is approximately 122,000 acres, and that the volume of stream flow out of the Pathfinder Reservoir, under present conditions of development, is approximately 1,250,000 acre feet per year.

This complainant admits the allegations of the second sub-paragraph of the fifth section of said cross-bill and admits the allegations of the third sub-paragraph of said fifth section, except that this complainant avers that the present storage capacity of the Guernsey Reservoir does not exceed 60,000 acre feet.

Respecting the allegations of the fourth sub-paragraph of said fifth section of said cross-bill, this complainant admits the allegations thereof except that this complainant avers that in the section of the North Platte river beween the Pathfinder Reservoir and the Guernsey Reservoir approximately 55,000 acres of land are irrigated and avers that the volume of stream flow out of Guernsey Reservoir in the average year does not exceed 1,570,000 acre feet, under present conditions of development.

This complainant further admits the remaining allegations of fact contained in said fifth section of said cross-bill, except that this complainant avers that the Interstate Canal irrigates approximately 122,000 acres of land; and that the Fort Laramie Canal irrigates approximately 107,000 acres of land, only one-half of which is in Nebraska; and that the total irrigated land under the said North Platte Project is approximately 245,000 acres. This complainant further avers that in addition to the storage

reservoirs described in the sixth sub-paragraph of said section of said cross-bill, there have been constructed Lake Winters Creek, near Scottsbluff, Nebraska, of 2,500 acre-feet capacity, and Sutherland Reservoir, near Sutherland, Nebraska, of 188,000 acre-feet capacity, both of which are now in operation, and all of the waters of which have been appropriated for irrigation purposes. This complainant further avers that the Warren Act Contracts described in the seventh sub-paragraph of said section provide for the delivery of not more than 190,000 acre-feet of storage water to the projects holding such contracts, and avers that for several years last past there has been an insufficient supply of water stored in the Pathfinder and Guernsey reservoirs to furnish an adequate supply of water to the lands entitled to be watered from it, and that each and every water right entitled to waters from said Pathfinder and Guernsey reservoirs, including not only the lands originally included in the North Platte Project, but also the lands having Warren Act contracts, have been compelled to pass through the irrigation seasons of the last few preceding years with inadequate water supplies.

Sixth

Answering the sixth section of said cross-bill, this complainant avers that it has no information or knowledge concerning the matters contained in the first sub-paragraph thereof. This complainant further admits that by its opinion and decree, reported in 259 U. S. 419, 260 U. S. 1, this court adjudicated the respective rights of the states of Wyoming and Colorado in and to the waters of the Laramie River and on that behalf, avers that this complainant was not a party to said proceedings, is not bound thereby and that the rights of this complainant in and to the waters

of said Laramie River have never been settled or adjudicated in any manner.

Seventh

Answering the seventh section of said cross-bill, this complainant avers that below the point of diversion of the Interstate Canal and Fort Laramie Canal in Wyoming, there remains in the average year a volume of stream flow which does not exceed 710,000 acre feet, but on that behalf, this complainant avers that the quantity flowing immediately below said point during the irrigation months of May to September, inclusive, in the average year, does not exceed 580,000 acre feet. That said quantity includes in part storage water released from the Pathfinder and Guernsey reservoirs for the benefit of Warren Act contractors below said point of diversion, and that only the remainder of the May to September flow as above alleged is available for direct flow appropriators.

This complainant further admits the other allegations of fact contained in said seventh section except that this complainant avers that the quantity of water available during the irrigation season of May to September, inclusive, at North Platte, Nebraska, does not exceed 770,000 acre feet, and that only such quantity of water is available for direct flow appropriators; and further except that this complainant avers that the quantity of water flowing in the average year in the North Platte River at North Platte, Nebraska, does not exceed 1,900,000 acre feet, and further avers that the area of the lands irrigated as described in said seventh section of said cross-bill exceeds 500,000 acres.

Eighth

This complainant admits the allegations of fact contained in the eighth section of said cross-bill except that this complainant denies that the contributions of the North Platte River to the main Platte River at or near the city of North Platte, Nebraska, amounts in the average year to more than 2,000,000 acre feet of water and denies that the said contributions are augmented by tributary contributions to the extent that the quantity of water in the average year in the main Platte River at Grand Island, Nebraska, is approximately 2,400,000 acre feet and on that behalf avers that the quantity of water in the Platte River at Overton, Nebraska, 60 miles above Grand Island, Nebraska, in the average year is approximately 2,150,000 acre feet. Complainant further avers that the extent of the lands irrigated from the Platte River between North Platte and Grand Island has exceeded 166,000 acres.

Ninth

This complainant denies that it has permitted any of the waters of the North Platte River or main Platte River in the State of Nebraska, which were available for use for direct flow appropriations to go to waste at any time in the past, and denies that the dependable quantities of water and volume of stream flow in the said North Platte or main Platte rivers are now or have been for many years last past, in excess of the needs of the appropriators along said river or in excess of the volume of water which said appropriators could put to beneficial use, and on that behalf avers that the appropriators of the State of Nebraska have used all of the dependable direct flow which

has been available in the said river, and that such direct flow has in most years been insufficient for the needs of the said appropriators in Nebraska.

In relation to said allegations of said ninth section of said cross-bill, this complainant avers that the construction of storage reservoirs is and at all times has been an undertaking which requires a vast amount of money which, until the last two years, has been entirely unavailable to Nebraska irrigators and to the State of Nebraska. That there are now and at all times have been many hundreds of thousands of acres of land in the State of Nebraska, suitable for irrigation from the North Platte and Platte Rivers, and requiring irrigation; that there has, until the present time, never been sufficient dependable direct flow in the said North Platte and Platte Rivers in Nebraska to irrigate more acres than are now under irrigation. That it is unjust and inequitable to require the State of Nebraska or the irrigators of the State of Nebraska, having vested rights to the direct flow of the Platte and North Platte Rivers, to expend the additional vast sums which would be necessary for the purpose of constructing and operating storage reservoirs; that public municipal corporations, organized under the laws of the State of Nebraska, are now engaged in constructing and developing reservoirs for the purpose both of supplementing direct flow rights with storage water derived from flood waters and winter flow in the region east of North Platte, Nebraska, and for the purpose of making available, for the purpose of irrigation of the lands not heretofore irrigated, such of the waters as may be passed down the river in the non-irrigation season, and waters coming down in flood spurts during the irrigation season.

Tenth

Answering section ten of said cross-bill, this complainant admits the allegations of the 1st, 2nd, 3rd and 4th sub-paragraphs of said section including the allegations and tabulations of annual and seasonal precipitation. This complainant further admits the allegations of the 5th and 6th sub-paragraphs of said cross-bill, except that complainant avers that the humid zone of the State of Nebraska includes only the eastern one-third portion thereof, east of the city of Grand Island. With reference to the 7th and 8th sub-paragraphs of said cross-bill, this complainant denies the allegations thereof, and on that behalf avers, that the reason why irrigation has been restricted in its scope in central Nebraska, is solely by reason of the fact that there has been an insufficient dependable supply of water in the North Platte and Platte Rivers as they pass through said section to supply direct flow rights for the irrigation projects already in existence in said area, which inadequacy has been partly due to natural causes and partly due to the illegal diversions complained of in the bill of complaint herein. This complainant avers that there are now, and have been at all times, large numbers of farm owners and operators in said region in central Nebraska who were ready and anxious to obtain irrigation for their lands, but who were unable to find or procure the necessary financing for the creation of storage for said purpose. That the projects hereinbefore and hereinafter mentioned are being developed for the purpose of furnishing waters to such irrigators, and that whereby the exercise of energy, ingenuity and enterprise, and by the expenditure of money, said land owners and farm operators make off-season and flood waters available for irrigation, they are equitably entitled to the benefits thereof.

Eleventh

Answering the eleventh section of said cross-bill, this complainant avers that, while a few irrigation projects have from time to time been abandoned in the State of Nebraska for reasons unknown to complainant, nevertheless, such abandonments have not been greater in proportion to the total number initiated than in other irrigated sections of the United States, including Colorado and Wyoming; and complainant further avers that in the close vicinity of the sites of such abandoned projects, many projects succeeded and are now in reasonably successful and profitable operation; that the depletion of the flow of the river and the consequent difficulty of obtaining an adequate water supply, all due to the illegal and wrongful acts of defendants as alleged in complainant's bill of complaint, has largely contributed to the failure of such projects and has been a large factor in the causes for their abandonment. This complainant further admits that at the present time an extensive development program is under way for the storage of off-season waters of the Platte and North Platte Rivers and their utilization in part as supplemental water upon lands already irrigated and in part upon lands in the counties of Gosper, Phelps, Kearney and Adams in the State of Nebraska, which lands have not heretofore been irrigated. On that behalf, this complainant avers that said lands are not in the humid portions of the State of Nebraska, but on the contrary this complainant avers that said lands have seldom received sufficient natural precipitation to enable them to produce crops of which they are capable, and avers that irrigation is needed in said area, not merely in times of drouth, but likewise in times of normal rainfall.

This complainant admits that the program of construction on said projects is going forward and is proceeding

with funds advanced by the Federal Government to be repaid in part by the profits from the sale of electrical energy proposed to be generated by the diversions and use of water from the North Platte and Platte Rivers in the State of Nebraska and in part by payments from the water users of said state, for storage water furnished to them.

That, as hereinbefore alleged, the purpose of said project is to store and make available during the irrigating season, the flow which ordinarily passes down said rivers during the non-irrigation season, and the flood spurts which pass down during the irrigation season, but on that behalf, this complainant avers that none of said flow so to be utilized, constitutes unused water or surplus stream flow in relation to direct flow appropriators, who are entitled by reason of their vested rights and long continued user, to the less expensive direct flow without being required to undertake the expenditure of the large sums of money required to build and maintain storage reservoirs for the capture and retention of said flow. That the prior appropriators of the State of Nebraska, having such direct flow rights, are equitably more entitled to the use of said direct flow waters than are subsequent appropriators in the States of Wyoming and Colorado and particularly have a better equitable right thereto than do the citizens and residents of the State of Colorado who propose at some indefinite time in the future, to make use of the waters of the North Platte River in the North Park region, or by trans-mountain diversion to the Poudre River basin, to use same in other regions of Colorado.

Twelfth

Answering the twelfth section of said cross-bill, this complainant admits the allegations of fact contained in the

first sub-paragraph thereof. Complainant denies that distribution of the water of the North Platte, as between individual appropriators throughout the length thereof, upon a priority schedule, or upon the basis of a schedule of deliveries of water at the west boundary of the State of Nebraska, would create a condition whereby there would be any surplus unused quantities of water flowing in said river in Nebraska and denies that it would create a condition by which there would be any lost or wasted portions thereof. On that behalf this complainant specifically denies that, during the irrigating season (the months of May to September, inclusive), there is any surplus or unused quantity of water flowing in said river in Nebraska or any wasted or lost waters; and in connection with the flow of said river during the non-irrigating season this complainant avers that such of the same as has been unused, has been in that condition solely by reason of the fact that heretofore it has been impossible to obtain the necessary financing for the construction of reservoirs.

This complainant denies that the State of Colorado, or any other state, has the right to reserve for future use, waters which are not now in the process of development, and denies that this court has jurisdiction to decree or to assign to the State of Colorado, or to any other state, rights which are not at present being exercised.

Thirteenth

This complainant admits the allegations of the thirteenth section of said cross-bill except that the complainant has no knowledge or information as to the plan of repayment to the Federal Government of the cost of construction of the proposed Seminoe Reservoir and except that this complainant avers that in the operation of said Seminoe Reser-

voir, the defendant, the State of Wyoming, should be required to observe the rule of priority and should not be permitted to store or impound waters which are needed to supply prior direct flow or storage rights.

Fourteenth

Answering the fourteenth section of said cross-bill this complainant admits the allegations of fact contained in the first sub-paragraph thereof, except that this complainant avers that it has no information or knowledge as to the plans or obligations for repayment to the Federal Government of any of the costs of the Casper-Alcova project.

Answering the second sub-paragraph of said fourteenth section of said cross-bill, this complainant admits that the State of Wyoming plans to reserve to itself all of the benefits of said Seminoe Reservoir and Casper-Alcova project. This complainant has no information or knowledge as to any of the inequalities that may thereby result as between the State of Wyoming and the State of Colorado, but on that behalf avers that this complainant is equitably entitled to have such projects operated without injury to the prior rights of its appropriators and is entitled to any distribution of benefits of said projects which may be made by this court, equally with the State of Colorado.

Fifteenth

This complainant admits that there has been no judicial determination of the rights of the states of Colorado, Wyoming and Nebraska and the citizens of each state in and to the waters of the North Platte River except that the rights of Colorado and Wyoming only in the Laramie River have been adjudicated; but on that behalf this com-

plainant avers that as alleged in the tenth section of this complainant's bill of complaint, the rights of each state and its citizens are determined by the priority dates of the irrigation projects in each state. This complainant further admits that inchoate plans have been suggested in the State of Colorado for the diversion and use of additional quantities of water from North Platte River, but on that behalf, this complainant avers, upon information and belief, that most of such plans have not progressed beyond the paper stage and that no physical acts have been done looking toward the completion of the same. That work on one or two of such projects was at one time commenced, but the same have been long since ab ndoned. The complainant further denies that there is any water supply available for further appropriation in the State of Colorado without trespassing and encroaching upon the direct flow and storage rights appurtenant to the lands of the State of Nebraska.

Answering the second sub-paragraph of the fifteenth section of said cross-bill, this complainant avers that it has no information or knowledge as to the quantity of land in Jackson County, Colorado, susceptible of irrigation by water taken from the North Platte and its tributaries in Jackson County, Colorado, nor as to the value of said land if any of it were or could be irrigated, or as to the usefulness or utility of additional irrigation of lands in Jackson County, Colorado; and complainant further avers that it has no information or knowledge as to any of the other allegations of fact contained in said second sub-paragraph of said fifteenth section of said cross-bill.

Sixteenth

Answering the sixteenth section of said cross-bill, this complainant denies that any projects contemplating the

diversion or use of any additional quantities of water from the North Platte River and its tributaries in Jackson County, Colorado, or elsewhere in Colorado have been initiated except as alleged in the fifteenth section hereof; and denies that any additional quantities of water other than those now actually diverted and used in Jackson County, Colorado, or by the trans-mountain diversions alleged in the fourth section of said cross-bill, have ever been legally appropriated.

Further answering said sixteenth section of said cross-bill, this complainant avers that it has no knowledge or information as to any other facts alleged therein.

Seventeenth

Answering the seventeenth section of said cross-bill, this complainant admits that from time to time conferences have been held as among the states of Colorado, Wyoming and Nebraska in an attempt to settle the controversies relating to the North Platte and Platte Rivers as among such states. This complainant has no information or knowledge as to the other allegations of fact contained in the first and second sub-paragraphs of said seventeenth section.

This complainant answering the 3rd and 4th sub-paragraphs of said seventeenth section of said cross-bill, avers that the demands of the said State of Colorado in said interstate conferences have varied in amounts and that this complainant does not know what quantity of water said defendant, State of Colorado, actually demands or wishes to use. However, on that behalf, this complainant avers that at all times, it has objected to and protested against any further diversions or appropriations by the

State of Colorado as against the priorities of Nebraska appropriators; and has denied the validity of any Wyoming or Colorado claims to the waters of the North Platte River except as to the prior appropriators of each state respectively determined as of the date when the appropriation was initiated and diligently carried to completion.

Eighteenth

The complainant further avers that so far as concerns any needs or requirements of the State of Colorado and irrigators therein, particularly in the Greeley-Fort Collins area, the said State of Colorado has large volumes of unused waters of the Colorado River allocated to it under the Colorado River compact which was entered into among the states of California, Colorado, Nevada, New Mexico, Utah and Wyoming. That said Colorado River compact is dated November 24, 1922, and as modified by the Boulder Canyon Project Act of the United States Congress (dated December 21, 1928, Ch. 42, 45 Stat. at L. p. 1057), it was declared to be in effect by Presidential Proclamation June 25, 1929 (46 Statutes at Large, 20). This complainant further avers that the United States Government, by the Bureau of Reclamation at the request of the State of Colorado and its appropriators, is actively working upon a trans-mountain diversion of waters of the Colorado River basin into the Big Thompson, the St. Vrain and the Cache la Poudre Rivers to supply supplemental water to said area. This complainant further avers that said water can be obtained by the state of Colorado without trespassing upon or infringing upon the rights of any appropriator of any other state and that in justice and in equity, said defendant, State of Colorado, should make use of such unappropriated and unused water of the Colorado basin so

allocated to it rather than attempting any diversion of water from the North Platte River.

Wherefore, this complainant prays that said cross-bill may be dismissed and that this court may grant it relief as prayed in its original bill of complaint.

THE STATE OF NEBRASKA, *Complainant.*

By WM. H. WRIGHT,
Attorney General of The
State of Nebraska,
PAUL F. GOOD,
Special Counsel,
Solicitors for Complainant.

C. G. PERRY,
Of Counsel.

State of Nebraska }
Lancaster County } ss.

Wm. H. Wright, being first duly sworn upon his oath deposes and says that he is the duly elected, qualified and acting Attorney General of the State of Nebraska; that as such Attorney General he is the duly authorized solicitor and representative of the complainant named in the foregoing replication and answer, that he has read the said replication and answer and knows the contents thereof, and that the facts therein set forth are true except those averred upon information and belief and that as to those facts affiant verily believes the same to be true.

WM. H. WRIGHT.

Subscribed in my presence and sworn to before me this 9th day of June, 1936.

DOROTHY E. MOORE.

Notary Public.

My commission expires August 6, 1940.